

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Richmond Division

MALLORY PATTERSON,
EMILY COMER, and
CARLA MCDOWNEY, on behalf of
themselves and all others similarly
situated,

Plaintiffs,

V.

Case No. 3:23-cv-757

VIRGINIA DEPARTMENT OF
CORRECTIONS,

and

CHADWICK DOTSON, in his official
capacity

Defendants.

**DEFENDANTS' CONSENT MOTION FOR EXTENSION OF TIME
TO ANSWER, PLEAD OR OTHERWISE RESPOND TO COMPLAINT**

Defendants Virginia Department of Corrections (“VDOC”) and Chadwick Dotson (“Mr. Dotson”) (collectively “Defendants”), by counsel, pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and Rule 7 of the Local Rules of the United States District Court for the Eastern District of Virginia, moves this Court to extend the time allowed for Defendants to answer, plead or otherwise respond to Plaintiffs’ Complaint through February 23, 2024. In support of this motion, Defendants assert the following:

1. On November 9, 2023, Plaintiffs filed a Class Action Complaint under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000e, *et seq.* and the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution, as made actionable by 42 U.S.C. § 1983 (“Section 1983”). (ECF No. 1.)

2. On January 4, 2024, VDOC and Mr. Dotson were served with the Summons and Complaint, thus setting the deadline to respond as January 25, 2024. (ECF No. 4.)

3. On the evening of January 17, 2024, Williams Mullen was officially engaged by Defendants as counsel in this matter.

4. Counsel for Defendants contacted Plaintiffs' counsel on the morning of January 18, 2024 to ascertain their position regarding a proposed extension of the deadline to respond to the Complaint to allow counsel to review and discuss the allegations and documents. Counsel for Plaintiffs responded that they do not object to oppose Defendants' motion or the relief requested. As such, no party will be prejudiced by the extension of time.

5. This motion is filed prior to the expiration of time to answer, plead or otherwise respond under Rule 12(1)(a) of the Federal Rules of Civil Procedure. Pursuant to Local Rule 7(F)(2)(b), no separate brief in support of this motion is required.

WHEREFORE, for the reasons stated herein, Defendants Virginia Department of Corrections and Chadwick Dotson respectfully move that the requested extension of the time to answer, plead or otherwise respond to Plaintiffs' Complaint be granted, and that this Court enter the attached proposed Order setting the response deadline as February 23, 2024.

Respectfully submitted,
VIRGINIA DEPARTMENT OF CORRECTIONS
and
CHADWICK DOTSON

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CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of January 2024, I electronically filed the foregoing Motion with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

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